

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

KEURIG GREEN MOUNTAIN, INC.,

Plaintiff,

v.

SHARKNINJA OPERATING LLC,
RONALD DIFABIO, and
STEPHEN TURNER,

Defendants.

Civil Action No. 17-cv-12133

STIPULATION OF DISMISSAL

IT IS HEREBY STIPULATED AND AGREED by and among the parties to this action, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), that:

- (1) Counts I, II, III, IV, V, VI, VIII and IX are dismissed with prejudice;
- (2) Counts VII and X are dismissed with prejudice only to the extent that they arise out of the hiring and employment of DiFabio or Turner, DiFabio's or Turner's alleged use or disclosure of Keurig Confidential Information, or DiFabio's or Turner's violations of any legal or contractual obligations owed to Keurig; and
- (3) Counts VII and X are dismissed without prejudice to the extent that they do not arise out of the hiring and employment of DiFabio or Turner, DiFabio's or Turner's alleged use or disclosure of Keurig Confidential Information, or DiFabio's or Turner's violations of any legal or contractual obligations owed to Keurig;

all of which dismissals are without costs or attorneys' fees awarded to any party.

Respectfully submitted,

<p>KEURIG GREEN MOUNTAIN, INC.,</p> <p>By its attorneys,</p> <p><u>/s/ Julie B. Brennan</u> Julie B. Brennan (BBO No. 564101) Scott McConchie (BBO No. 634127) Manchel & Brennan, P.C. 100 River Ridge Drive, Suite 308 Norwood, MA 02062 Telephone: (617) 796-8920 jbrennan@manchelbrennan.com smcconchie@manchelbrennan.com</p>	<p>SHARKNINJA OPERATING LLC,</p> <p>By its attorneys,</p> <p><u>/s/ Russell Beck</u> Russell Beck (BBO No. 561031) Laura M. Raisty (BBO No. 640400) Nicole Corvini (BBO No. 670587) Hannah T. Joseph (BBO No. 688132) BECK REED RIDEN LLP 155 Federal Street, Suite 1302 Boston, MA 02110 Telephone: (617) 500-8660 rbeck@beckreed.com lraisty@beckreed.com ndaly@beckreed.com hjoseph@beckreed.com</p>
<p>STEPHEN TURNER,</p> <p>By his attorney,</p> <p><u>/s/David G. Gabor</u> David G. Gabor (BBO No. 624971) The Wagner Law Group 99 Summer Street, 13th Floor Boston, MA 02110 Telephone: (617) 357-5200 dgabor@wagnerlawgroup.com</p>	<p>RONALD DIFABIO,</p> <p>By his attorneys,</p> <p><u>/s/Lawrence P. Heffernan</u> Lawrence P. Heffernan (BBO No. 228660) Danielle Andrews Long (BBO No. 646981) Robinson & Cole LLP One Boston Place, Floor 25 Boston, MA 02108 Telephone: (617) 557-5934 lheffernan@rc.com dlong@rc.com</p>

Dated: May 13, 2019

CERTIFICATE OF SERVICE

I certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on the date specified below.

Dated: May 13, 2019

/s/ Julie B. Brennan
Julie B. Brennan